

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

John Stotesbery,

*On behalf of himself and those
similarly situated,*

Plaintiff,

v.

Muy Pizza-Tejas, LLC, *et al.*,

Defendants.

Case No. 0:22-cv-01622-KMM-TNL

NOTICE OF WITHDRAW OF MOTION FOR LEAVE TO FILE AMENDED COMPLAINT

Plaintiff hereby withdraws his Motion for Leave to File Amended Complaint (Doc. 194) because Plaintiff and the Muy Defendants (Muy Pizza-Tejas, LLC and James Bodensedt) have reached a settlement in principle.

Plaintiff's Motion and proposed Amended Complaint only sought to modify the allegations asserted against the Muy Defendants, not his allegations against the other Defendants, Ayvaz Pizza, LLC and Shoukat Dhanani. Since Plaintiff and the Muy Defendants have reached a settlement in principle, Plaintiff withdraws the Motion without prejudice to re-filing at a later date if necessary.

In light of the foregoing, Plaintiff hereby withdraws his Motion for Leave to File Amended Complaint (Doc. 194) and, therefore, asks that the January 26, 2023 hearing be vacated.

Respectfully submitted,

s/ Andrew Kimble

Andrew R. Biller (*Pro Hac Vice*)

Andrew P. Kimble (*Pro Hac Vice*)

BILLER & KIMBLE, LLC

8044 Montgomery Rd., Ste. 515

Cincinnati, OH 45209

Telephone: (513) 202-0710

Facsimile: (614) 340-4620

abiller@billerkimble.com

akimble@billerkimble.com

jscherpenberg@billerkimble.com

www.billerkimble.com

Corey W. Kobbervig (#0395472)

KOBBERVIG LAW LLC

1624 Harmon Pl Ste 300G

Minneapolis, MN 55403

Telephone: (651) 357-0111

corey@kobberviglaw.com

Counsel for Plaintiff and the putative class

Certificate of Service

I hereby certify that the foregoing was electronically filed on January 19, 2024 with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the Defendants.

/s/ Andrew Kimble
Andrew Kimble